



WATERVILLE PLANNING BOARD MINUTES

DATE OF MEETING: June 7, 2021

VENUE: Via Zoom

MEMBERS PRESENT: x Samantha Burdick, Chair
x April Chiriboga
x Tom DePre
x David Johnson
x Hilary Koch
x Uria Pelletier
□ Bruce White

STAFF PRESENT: Ann Beverage, City Planner

MINUTES:

Tom DePre made a motion to approve the minutes of the May 17, 2021, meeting. Hilary Koch seconded. Vote 6-0 in favor.

ITEM 1: NextGrid is requesting rezoning for an approximately 2.1-acre portion of Assessor Parcel 24-10 at 101 Webb Road from Rural Residential to Solar Farm District to allow for the redesign of a previously approved solar farm.

Engineer Gil Paquette reported that NextGrid revised the site plan for its Webb Road Solar Project to minimize environmental impacts. The portion of the revised layout that is north of the CMP easement is zoned Rural Residential and requires rezoning to Solar Farm District to allow for solar panels. The area under consideration for rezoning is approximately 2.1 acres. That area is surrounded by forest and therefore will not be seen from any vantage point.

For additional information, please see the minutes of the May 17, 2021, meeting.

ACTION:

Tom DePre made a motion to recommend that the City Council rezone the property as requested. David Johnson seconded. Vote 6-0 in favor.

ITEM 2: Waterville Redevelopment Company IV, LLC, is requesting Preliminary and Final Plan Review for a 14-lot subdivision to be developed off Lincoln Street. This review is in accordance with Articles 8 and 9 of the Subdivision Ordinance.

Engineer Steve Roberge presented plans for a 14-lot subdivision to be constructed on Doctor's Office Road. He designed the 950-foot-long road to meet City street standards and be accepted

by the City as a public street. For additional details, please see the minutes of the March 15, 2021, Planning Board meeting.

Residents of Lincoln Green and Lincoln Woods asked if trees could be left standing to create a buffer for their condominiums. Mr. Roberge explained that there will be a drainage ditch along the west side of the subdivision to collect stormwater from the condominiums, and creating that ditch will require cutting some trees. Developer Kevin Mattson commented that purchasers of lots in his subdivision likely will want to retain some trees on their land. The City has no requirement for buffers between residential developments.

CORRESPONDENCE:

The applicant provided letters from City Engineer Andrew McPherson (dated May 21, 2021), Superintendent of the Waterville Sewerage District (WSD) John Jansen (dated May 5, 2021), and District Engineer Kennebec Water District Jefferson Longfellow (dated June 4, 2021).

ACTION 1:

The Board made findings of fact in accordance with Section 1.3, Standards of Review, in the Subdivision Ordinance. Tom DePre made a motion to approve the project with the following conditions:

FIRE:

The developer shall provide a letter of approval from Fire Chief Shawn Esler.

STORM DRAINAGE SYSTEM:

There are currently no planned connections to the District's system so a permit from the District is not required. The drainage infrastructure will be considered private.

SANITARY SEWER:

1. Sub-Division Sewer Main:

- a. A permit [\$250 fee] will be required to connect the subdivision's sewer main to the District's sewer main. The owner or their contractor must notify the District 48 hours in advance of making the connection. Working with the contractor District personnel will core the District's manhole and will make the physical connection.
- b. Air testing of the sub-division sewer main is required prior to connecting to the District's sanitary system. If the test is completed by District personnel, the fee is \$106. If the test is completed by the contractor under the observation of District personnel, then there is no fee.

2. Each House Lot:

- a. A permit [\$250 fee] will be required for each house service in the subdivision when connecting to the sanitary system. Since the subdivision sewer main is

private the owner or contractor is required to make the physical connection to the subdivision's sewer main under the observation of District personnel.

- b. Air testing is required for each service connected to the subdivision's sewer main. The air test must be completed by the contractor under the observation of District personnel and there is no fee.
- c. In addition to the permit fee each house connecting to the sanitary system is subject to a "Ready to Serve Fee" [\$480].

3. All sanitary services and the sub-division sewer main will be considered private.

WATER:

Before plans are released for construction, final site plans shall be reviewed and approved by Kennebec Water District (KWD) to verify that details conform with KWD design standards.

Hilary Koch seconded. Vote: 6-0 in favor.

ACTION 2:

Because the south end of the development is in the shoreland zone, the Board made findings of fact in accordance with Section 4.3.25 of the Zoning Ordinance. David Johnson made a motion to approve. Uria Pelletier seconded. Vote: 6-0 in favor.

ITEM 3: The Alford Youth and Community Center is requesting a revision to Section 4.3.21 Off-street parking and loading requirements of the Zoning Ordinance to allow parking up to 600 feet from the ice arena that it proposes to construct at 132 North Street.

James Laliberty told the Board that the Alford Youth and Community Center (AYCC) proposes to construct a community ice arena on land leased from the City at 132 North Street, assessor parcel 56-2, a portion of North Street Park. The AYCC will own the ice arena and operate it.

The arena will be located between the swimming pool and the tennis courts on land where the basketball courts currently are located, necessitating moving the basketball courts. The site is not large enough to allow space for parking required by ordinance. The proposed site plan includes handicapped parking spaces only.

The AYCC proposes to share parking on parcels farther away from the arena than the 300-foot distance currently allowed by the Zoning Ordinance. The AYCC is requesting that the City double the allowed distance to 600 feet in order for the arena to share parking with the playground (36 parking spaces), pool (63 parking spaces), and the west lot of the Alford Youth and Community Center (AYCC) (63 parking spaces).

Mr. Laliberty told the Board that most of the time, the arena will use parking at the City swimming pool which is open only during the summer months. The arena will have ice from October through March. The facility will be used for other sports when there is no ice, but the facility will not have a robust air conditioning system, so the arena will not be heavily used when the pool is open.

Mr. Laliberty said that most of the time, there will be two sets of two youth teams at the arena, requiring 50 parking spaces. Large events will not be scheduled there.

DISCUSSION:

Neighbors Anna Thomas, Robert Erickson, Keith Morin and Greg Bazakus addressed the Board. They said that the City should host a public meeting to discuss this major change to North Street Park. People will park on neighborhood streets, because those streets are closer than parking at the AYCC would be. People already park on neighborhood streets during soccer season when pool parking is available and at times block driveways.

Samantha Burdick commented that the hockey arena and the pool will share a driveway, making it more likely that people will park at the pool rather than on the street. Furthermore, the AYCC will be scheduling the use of both the arena and the Community Center and will be aware of parking needs.

ACTION:

David Johnson made a motion to recommend that the City Council approve the revisions to the Zoning Ordinance (underlined below) as requested. Tom DePre seconded. Vote 6-0 in favor.

4.3.21.B. Off-street parking locations.

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4.3.21.B(3) In the Institutional zone, the Planning Board may approve required off-street parking in public or private parking areas within 600 feet of a proposed building, if those parking spaces also are in the Institutional zone. Measurement of distance of parking areas from a principal building or use shall be along lines of public access.

ITEM 4: BACAS is requesting rezoning for 72 Pleasant Street and 5 Middle Street (Assessor Map 48, Parcels 197, 201, 201-1, and 201-2) from Residential-D (R-D) and Residential-B (R-B) to Contract Zoned District/Commercial-A (CZD/C-A). The request is to allow for the conversion of the former Sacred Heart Church to an events center as well as commercial use of the office building and continued residential use of the rectory. This review is in accordance with Section 7.1 of the Zoning Ordinance.

Neighbors who addressed the Board included Kate Roy, Jeff Karter, Shirley Shepherd, and Jesse Blaisdell. Neighbors raised many of the issues that were discussed at the May 17th meeting. “Neighbors expressed concerns about noise from events and from people leaving events, inadequate parking necessitating parking on quiet neighborhood streets, headlights shining into nearby homes, hours of operation, alcohol consumption, and potential for outdoor events. Neighbor Rien Finch stated that without restrictions on the use of the property, the developer will be sacrificing the neighborhood to save the church.”

Various Board members stated that they favored restricting hours of operation and alcohol sales to avoid creating a use more like a bar than a church. They supported preserving the church building. David Johnson recommended that the City adopt an adaptive reuse ordinance similar to South Portland’s ordinance to help preserve historically and culturally significant buildings.

The Board considered the following conditions for inclusion in the contract zone:

Hours of operation choices:

1. All events, all days, 7:00 a.m. through 8:00 p.m.
2.
 - a. Sunday through Thursday: 7:00 a.m. through 9:00 p.m.
 - b. Friday and Saturday: 7:00 a.m. through 11:00 p.m.
 - c. Outdoor events: 7:00 a.m. through 8:00 p.m.
3. No restriction.

Alcohol consumption choices:

1. No alcohol consumption allowed.
2. Alcohol use shall be restricted to wine and beer consumption.
3. No restriction.

ACTION:

David Johnson made a motion to recommend that the City Council approve the ordinance below. Hilary Koch seconded. Vote 6-0 in favor.

72 Pleasant Street and 5 Middle Street, Assessor Map 48, Parcels 197, 201, 201-1, and 201-2, are rezoned from Residential-D (R-D) and Residential-B (R-B) to Contract Zoned District Commercial-A (CZD/C-A).

The following conditions of the contract are intended to preserve the residential character of the surrounding neighborhood:

1. Permitted Uses. The only permitted uses are as follows:
 - a. The church (parcel 48-201) may only be used as an events center subject to the conditions below.
 - b. The church office (parcel 48-201-2) may be used only by the events center. Leasing space for commercial use would constitute an illegal spot zoning.
 - c. The church rectory (parcel 48-201-1) shall continue to be used as a single-family residence.
 - d. The church parking lot at 5 Middle Street (parcel 48-197) shall continue to be used as a parking lot only.
2. Maximum Occupancy
The maximum occupancy of the church is based upon the number of parking spaces provided on site, rather than the higher occupancy allowed by fire code. Section 4.3.21.A(6) of the Zoning Ordinance allows three persons per on-site parking space.
3. Hours of Operation

Hours of operation are restricted to 7:00 a.m. through 9:00 p.m.

4. Alcohol Consumption

No alcohol consumption is allowed.

5. Site Plan Review Required

The Planning Board shall review a site plan for the property in accordance with the provisions of the Site Plan Review and Subdivision Ordinance.

6. Parking Lots

- a. Parking and driveways shall be set back at least 5 feet from all property lines.
- b. Curbing shall be added along street lines to direct the flow of traffic.
- c. Landscaped berms shall be installed along street lines as needed to prevent headlights from shining into homes.

7. Screening

- a. A solid six-foot-high fence or a compact evergreen hedge planted and maintained to attain a height of not less than six feet within five years shall be installed along property lines abutting parking lots, unless the Planning Board approves an alternative landscaping plan that provides adequate screening.
- b. Existing plantings shall be retained where feasible to provide a visual buffer for abutting properties.
- c. Dumpsters shall be fenced and setback at least 5 feet from all property lines and at least 20 feet from all buildings.

8. Lighting in the parking lot shall comply with Section 4.3.16 of the Zoning Ordinance.

9. Sign

There shall be only one sign and the size of the sign shall be restricted to the size of the sign on site as of June 7, 2021.

10. All site improvements shall be installed prior to issuance of an occupancy permit.

SUMMARY:

This rezoning allows BACAS to convert the former Sacred Heart Church to an events center and allows continued residential use of the rectory. It allows use of the church office building by the events center only.

For additional information, please see the minutes of the May 17, 2021, Planning Board meeting.

ITEM 5: The City Council is requesting a recommendation concerning the concept of altering the traffic flow or creating a permanent pedestrian area on the portion of Silver Street that currently is closed to traffic.

The Planning Board considered three scenarios: creating a permanent pedestrian area on the portion of Silver Street currently closed to traffic, resuming traffic flow from the Concourse to Main Street, or reversing traffic flow to move traffic from Main Street to the Concourse.

David Johnson told the Board that he spoke with restaurant owners on Silver Street and they favor closing the street permanently. Insurance agent John Fortier opposed blocking off the street, because he said that doing so would restrict access to his business.

Tom DePre stated that if traffic were to flow from Main Street to the Concourse, people would use Silver Street to avoid the traffic light at the intersection of Spring Street and Main Street. Others stated that traffic flowing from the Concourse over Silver Street would increase traffic conflicts on Main Street.

Tom DePre hoped that the Council would find a way to share the right of way with the owners of properties on both sides of Silver Street and leave a space for pedestrians as well.

ACTION:

Samantha Burdick made a motion to recommend that the City Council leave the end of Silver Street blocked off. Uria Pelletier seconded. Vote 6-0 in favor.